## **CERTIFICATE OF MAILING**

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ON 23 December 2003

ATF

Attorney Docket No. B45070-1

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Friede, et al.

23 December 2003

Serial No.:

09/819,464

Group Art Unit No.: 1648

Filed:

March 28, 2001

Examiner: Z. Lucas

For:

**VACCINES** 

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

## RESPONSE TO RESTRICTION REQUIREMENT

This paper is in response to the Office Action dated July 29, 2003, having a shortened statutory period for reply of 1 month. Claims 1-49 are pending in the application. Claims 1-49 are subject to a restriction requirement and/or election requirement.

Restriction to one of the following is required under 35 U.S.C. § 121 and 372:

Group I.

Claims 1-34, drawn to adjuvant compositions, and

immunogenic compositions and vaccine

compositions comprising such, classified in class

424, subclass 278.1.

Group II.

Claims 35-38, 45 and 46, drawn to methods of

treating animals susceptible to pathogenic

infections, classified in class 424, subclass 184.1.

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Group III. Claims 39-42, 45 and 46, drawn to methods of treating animals suffering from cancer with an immunogenic composition, classified in class 424, subclass 277.1.

Group IV. Claims 43, 44 and 49, drawn to processes of making a vaccine composition, classified in class 424, subclass 278.1.

Group V. Claims 47 and 48, drawn to a method of stabilizing against alkali mediated hydrolysis, or reducing the reactogenicity of QS21, by adding excess sterol to the adjuvant, classified in class 514, subclass 23.

For each of Groups I-IV above, restriction to one of the following is also required under 35 USC 121. Therefore, election is required of one of Groups I-V, and, if one of Groups I-IV is elected, of one of inventions (A) or (B). The inventions of (A) and (B) represent the elected invention where the antigen is:

- (A) an antigen against a pathogenic infection; or
- (B) a tumor antigen.

For Group A above, restriction to one of the following is also required under 35 USC 121. Therefore, election is required of one of Groups I-V, and, if appropriate, to one of Groups (A) or (B) and, if Group (A) is elected, then election is also required to one of the pathogens identified in claim 32.